

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of Section 304 of the)	CS Docket No. 97-80
Telecommunications Act of 1996)	
)	
Commercial Availability of Navigation Devices)	
)	
Compatibility Between Cable Systems and)	PP Docket No. 00-67
Consumer Electronics Equipment)	

**REPLY COMMENTS OF
DIGITAL TRANSMISSION LICENSING ADMINISTRATOR LLC**

The Digital Transmission Licensing Administrator LLC (“DTLA”) submits these brief Reply Comments. Inasmuch as many of the conceptual points made in comments to the Commission in this proceeding dovetail with the comments made in response to the Further Notice of Proposed Rulemaking in the Broadcast Flag proceeding,¹ DTLA will not repeat here the points made fully in its Comments and Reply Comments in that other proceeding but, instead, wishes to refer the Commission generally, *mutatis mutandis*, to the following points:

1. Should the Commission consider the use of Functional Criteria for approval of digital output and recording protection technologies in this proceeding, DTLA incorporates herein by reference its Comments at 7-16, and its Reply Comments at 2-7.
2. DTLA believes that the Commission should not and need not intrude into licensing terms and conditions with respect to digital output and recording protection technologies, and incorporates by reference in this proceeding its Comments at 16 and its Reply Comments at 9-19.
3. With respect to the possible revocation of such protection technologies, DTLA incorporates herein by reference its Comments at 18-20 and its Reply Comments at 6-7.
4. Concerning the issue of Selectable Output Control, DTLA incorporates by reference its Reply Comments at 8-9.
5. With respect to the suggested application of downresolution, DTLA wishes to emphasize, as have some of the commenters in this proceeding, that the DTCP agreements neither address nor affect whether high definition analog video being delivered to the consumer

¹ In the Matter of Digital Broadcast Content Protection, MB 02-230.

from a cable or satellite service is to be output as a constrained or downresolved image. The DTCP agreements affect only the response downstream of a device that has received digital content that has been protected using DTCP, when outputting such protected data in analog form through a high definition analog output. Obligations and restrictions concerning the encoding of this Image Content Token are set forth in Section 5.1(d) of the Content Participant Agreement. Provisions relating to the Image Constraint Token in the Adopter Agreement are set forth in Exhibit B, Part 1: Compliance Rules for Sink Functions section 4.2, and Exhibit B, Part 2: Compliance Rules for Source Functions section 2.2.

To the extent that some tout downresolution as a possible solution to the “analog hole,” the 5C Companies note that they remain willing to continue their active participation in efforts to address that issue through other technological means, such as CGMS-A, that would have no adverse effect on consumer viewing of high definition video content and, thus, would better promote a fair, effective and speedy transition to high definition digital television.

DTLA further endorses the Comments of Matsushita Electric Corporation of America with respect to the issue of downresolution.

6. DTLA endorses the Comments of Intel Corporation with respect to the desirability of generic approvals of content protection technologies.

Respectfully submitted,

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